



STATE OF MISSOURI  
DIVISION OF PROFESSIONAL REGISTRATION

# DIMENSIONS

BOARD FOR ARCHITECTS, PROFESSIONAL ENGINEERS,  
PROFESSIONAL LAND SURVEYORS & PROFESSIONAL  
LANDSCAPE ARCHITECTS

FALL/WINTER 2014

## ARCHITECTURAL DIVISION LETTER

By: James C. (JC) Rearden, AIA, Division Chair



**O**n August 28, 2014, extensive revisions to Chapter 327, RSMo, our licensing law, went into effect. Several of the revisions are relevant to Missouri architects. It is not possible to discuss in this newsletter every change that was made, so a thorough reading of the entire chapter is recommended to fully understand all of the revisions. Once adopted by the Reviser of

Statutes, you will be able to find the revised statute on the Board's website. This article is intended to provide an overview to assist you in reviewing the new language.

One thing you may not notice is the language that has been deleted from Chapter 327, RSMo. Over the years, our statute had accumulated a number of provisions with grandfather clauses that had already expired. Some housekeeping was required to clean up the clutter.

In Section 327.011, RSMo, several definitions were added, including: design coordination, design survey, incidental practice and responsible charge. These definitions are applicable to all the professions regulated by Chapter 327, RSMo, and are often involved with complaints that an

individual is practicing a profession in which he or she is not licensed. These definitions provide the Board with the statutory language needed to evaluate and deal with such complaints.

In Section 327.091(2), RSMo, the only change to the definition of the practice of architecture was the addition of the "responsible charge" provision. It was added to

## TABLE OF CONTENTS

Architectural Division Letter	1
Professional Engineering Division Letter	2
Professional Land Surveying Division Letter	4
Professional Landscape Architectural Division Letter	5
Important Information Regarding The Renewal of Your License	6
NCEES Seeks Licensed Civil Engineers	7
Reminder: Shortened Architect Registration Examination (ARE®) Retake Policy Went Into Effect Oct. 1, 2014	7
L.A.R.E. Administration Dates and Deadlines	8
Examination Dates and Filing Deadlines	8
Schedule of Upcoming Board Meetings	8
Legislative Update	9
New Board Member	11
The Change to Section 327.272, RSMo; What Does It Mean?	12
New Licensees	13
Disciplinary Actions	18



## ARCHITECTURAL DIVISION LETTER CONTINUED...

reinforce that, with only a few exceptions noted elsewhere in Chapter 327, RSMo, it is the architect who is in “responsible charge of all architectural design of buildings and structures that can affect the health, safety, and welfare of the public within their scope of practice.” Similar language has been added by each of the other disciplines regulated by Chapter 327, RSMo.

The revisions in Section 327.101(3), RSMo, tie the “incidental practice” of architecture by engineers to the new definition.

In Section 327.101(5)(d), RSMo, the maximum size of a structure for which a non-licensed person is exempt from the practice of architecture is now limited to less than 2,000 square feet.

In Section 327.101(6), RSMo, the exemption of a non-licensed person from the practice of architecture in the remodeling or repair of a privately owned multiple-family dwelling house, flat or apartment

containing three or four families is now limited only to alterations that do not affect the architectural and engineering safety features of the building.

In late 2013, NCARB negotiated and signed a new reciprocity agreement with the Canadian Architectural Licensing Authorities. Therefore, Section 327.106, RSMo, was revised to recognize the new agreement, allowing Missouri architects the ability to once again apply for an architect’s license in Canada.

The language in Section 327.171(1), RSMo, was revised to state clearly that an architect’s license expires on the renewal date and to specify the provisions for renewing it within three months of the renewal date.

The next task will be to update the Board’s rules and regulations to align with these revised statutes.

## PROFESSIONAL ENGINEERING DIVISION LETTER

By: Kevin C. Skibiski, PE, SE, PLS, Division Chair



This has been a busy year for the Board. We have welcomed new members onto the Board and said goodbye to those who have served us well. A personal mentor of mine, Dr. Paul Munger, passed away, leaving a gap in the pool of past Board members upon whom we rely for advice and historical perspective on the actions of past Boards. He will be missed.

This year we saw Senate Bill 809 (edits to Chapter 327, RSMo) go through the legislature, survive after several questions and edits, and pass before the end of the session. It was then signed by the governor and became law on August 28, 2014. Included in the new law were several items important to the Board and important to each and every one licensed under Chapter 327, RSMo.

Over the past decade, the Board has had a few court cases where the courts took a position different from the Board. Some of those

cases hinged upon definitions of terms commonly used when talking about the practice of engineering, and it became obvious that those terms needed a better definition in Chapter 327, RSMo. Some of the terms, like “Incidental Practice,” did not previously have a definition in Chapter 327, RSMo.

We also took the opportunity to attempt to clarify and update the definitions of “Architecture,” “Professional Engineering,” “Professional Land Surveying” and “Professional Landscape Architecture.” Once we had worked on those, we then looked at “Incidental Practice,” not only as crossover work common between Architects and Professional Engineers but rather crossover work which was common between all of the disciplines we represent. Other important terms came out of the process, so we now have defined terms such as “design coordination,” “design survey,” “incidental practice,” “responsible charge” and “technical submissions” in such a way as they apply to all persons licensed under Chapter 327, RSMo.

We attempted to edit the definitions of each of the disciplines so as to use the same common terms. The “engineering” definition added



## PROFESSIONAL ENGINEERING DIVISION LETTER CONTINUED...

wording which emphasized protecting “the health, safety and welfare of the public.”

Edits were made pertaining to the testing required to become a Professional Engineer to allow for the new Computer-Based Testing for the FE Exam by NCEES.

Speaking of NCEES, Mike Freeman and I represented the Board at the NCEES Annual Meeting in Seattle this past August. There were 238 delegates in attendance representing all 69 Boards which are members of NCEES, in addition to representatives from several foreign countries. Of those delegates, 91 (38%) were there for the first time.

NCEES gave an update on Computer Based Testing, which went into effect for the FE Exam last January. They reported that a few tweaks were being made, but overall, the early numbers indicate the new format is working well. We will have to wait to see the pass/fail rates and how they compare to the old pencil and paper exams. Now that the tests are not administered in large group formats, additional training of the test proctors working at the test centers is needed.

I attended a forum where an interesting discussion was held on comity of the PE license and basic Continuing Professional Competency requirements. The gentleman representing Canada (Nova Scotia) commented that he didn't care about state-only requirements which limited comity between states; as long as the applicant for licensure in his jurisdiction was a PE, he would qualify for comity in Nova Scotia.

Also discussed was the pathway to licensure and the timing for taking the PE test. Wyoming offers to grant a PE license to candidates who have a Ph.D. and can show four years of experience, pass a Wyoming ethics and laws test and have an oral interview with the Board.

I attended another forum discussing the licensing of Structural Engineers. Eleven states now recognize and license Structural Engineers separately. The same points were discussed which have been presented in my newsletter articles in the past, so I will not repeat them again.

The biggest, and unexpected, change was to the education requirements in the Model Law for requirements to take the PE test.

For the past 10 years, we have talked about B + 30, Masters or Equivalent, and other variations of the premise that the necessary education required to take the PE test was more than the basic B.S. in engineering. It was made part of the Model Law, scheduled to take effect in 2020. It is no more. Oklahoma submitted a motion to immediately remove all language from the Model Law referring to Model Law 2020 and the educational standards in Model Law 2020 definitions. Those definitions are to be sent to a committee or task force to draft a “Position Statement.”

It did not surprise me that the motion was approved, since the original vote to make it part of the model law passed by a slim majority. My surprise came when the vote to approve Oklahoma's motion passed with a 70% majority. I think the combination of people tired of hearing about it and 38% of the delegates who had no history of the past 10 years led to the outcome.

Personally, I believe students today receive a different base of education than students of years past, and most would definitely benefit from receiving a Master's Degree; but with the requirement requiring adoption by 69 member Boards, comity between states would be thrown into turmoil. That does not uniformly protect the public health, safety and welfare.

Finally, because Chapter 327, RSMo, changed effective August 28, 2014, the Board rules need to be edited in order to be in conformance with the edited law. Look for those edits coming soon. As always, do not hesitate to contact me or the Board office if you have questions or opinions you wish to share with us.

**Please make sure you are aware of and familiar  
with the Code of Professional Conduct Rule,  
20 CSR 2030-2.010.**

**To view the rule (Chapter 2), please click here:**  
[http://www.sos.mo.gov/adrules/csr/  
current/20csr/20csr.asp#20-2030](http://www.sos.mo.gov/adrules/csr/current/20csr/20csr.asp#20-2030)



# PROFESSIONAL LAND SURVEYING DIVISION LETTER

By: Michael C. Freeman, PLS, Division Chair



**A**s you should know, the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors and Professional Landscape Architects (Board) and the Missouri Land Survey Division of the Department of Agriculture (DOA) jointly promulgate our "Minimum Standards." The basis for the joint rules is a Memorandum of Understanding (MOU) that originated in the early 1990s. Due to a number of restructuring issues with the transfer of the State Land Surveyor's office from the Department of Natural Resources to the Department of

Agriculture it became necessary to update the MOU. As of this writing, the document is still awaiting the signature of the DOA director. Once signed, we will proceed with the next step by scheduling a meeting of the Survey Advisory Group and, finally, the publishing of the rules updating our Surveying Standards. This has been a long and tedious task, but I believe we can now see the light at the end of this tunnel.

Over the past few years, I've been asked how the Board determines the level of discipline with regard to violations of surveying rules or statutes... Why surveyor 'A' might receive a censure and surveyor 'B' might receive a civil penalty, probation, license suspension or revocation for what appears to be the same violation. Regardless of what it appears on the surface, no two situations are exactly alike. The disciplinary process is the final stage of a complaint process that assures due legal process to the licensee. No form of discipline can occur unless the Administrative Hearing Commission has determined that the licensee has violated the law. Once that has occurred, the Board is required to hold a disciplinary hearing where testimony can be given on behalf of the licensee to mitigate the degree of discipline. The level of discipline ranges from the least punitive, censure, to probation then suspension and, finally, to a maximum of revocation. The law also allows the Board to impose monetary civil penalties

against licensed or unlicensed persons in lieu of or in addition to other forms of discipline. In determining the degree of discipline, the Board evaluates each case on its own merits. Section 327.077(2), RSMo, sets out specific evaluation criteria in determining the amount of a civil penalty, but we also use some of these same factors in determining the degree of discipline. First, we look at the circumstances leading to the violation. We consider factors such as— Is this a first time or repeat offender? How was the violation reported? Did the licensee self-report; was the violation discovered during another investigation; or was it reported by another licensee, by a code official or by a client? Was the licensee cooperative with the investigation? Was it a single violation, or were there multiple violations? Does the violation cause unnecessary monetary hardship to the public or unfair gain to the licensee? Will this discipline be a substantial deterrent to the licensee? All of these and other pertinent factors are considered before a decision is rendered.

Moving on, I attended the National Council of Examiners for Engineers and Surveyors (NCEES) annual meeting last month, and a major topic of discussion at the Surveyor's Forum was the conversion of the Fundamentals of Surveying (FS) test from paper/pencil to Computer-Based Testing (CBT). However, there was a concern about the results from those exams. The expectation was a pass rate of 65%, which would be in line with previous results. What they actually found was a pass rate of only 44%, a significant decline. The results may be the result of too small a sample or something in the process but it is something that will be monitored closely over the next couple of years to see if the numbers will rebound. A part of the concern was with the number of people taking the exam. In the first-quarter testing window, there were only 103 applicants. The second-quarter window's numbers were better, with 264 sitting for the test. But with only a week to go in the third-quarter testing period, the numbers had fallen back to 103. Another item discussed at the forum was the declining numbers of surveying programs being offered by colleges and universities. This was a topic of discussion at the joint MSPS/KSPS meeting in Kansas City, October 23–25.



# PROFESSIONAL LANDSCAPE ARCHITECTURAL DIVISION LETTER

By: Robert N. Hartnett, PLA, Division Chair



This past session, the Missouri Legislature approved, and Governor Nixon signed, SB 809, providing some significant changes to Chapter 327, RSMo, which governs the title and practice of the four professions. This legislation was several years in the making, beginning with a Board ad-hoc subcommittee chaired by Kevin Skibiski. The subcommittee began by reviewing incidental practice, but the entire exercise evolved into a complete review of Chapter 327, RSMo. The committee's proposal was unanimously approved by the

Board and forwarded to the Professional Design Alliance (PDA). The four professional societies in the PDA worked closely on presenting a unified front while working toward passage of the provisions with the legislature. After much work behind the scenes by the PDA, both the House and the Senate approved the legislation during the last week of the session. Since the passage of the updated law, our Executive Director Judy Kempker conducted a thorough review of the Board rules. I would encourage all licensees to review the latest statutes (<http://www.moga.mo.gov/statutes/C327.HTM>) and rules governing your profession. For all landscape architects, the new law changed the official professional designation to Professional Landscape Architect (PLA). Between the states, there were several designations in use, including LA, RLA and LLA. The American Society of Landscape Architects (ASLA), after careful consideration, began working with the states and chapters toward the unified PLA official designation. I would encourage all Missouri licensed landscape architects to use PLA.

The Professional Landscape Architectural Division of the Board is once again at full strength. Earlier this spring, Noel Fehr of St. Louis was appointed by Governor Nixon and confirmed by the Senate. I have had the pleasure of knowing Noel from our days at Kansas State University when he was a talented upperclassman, and I was beginning in the LA program just trying to learn my way around. Since his appointment, Noel has attended two Board meetings. He has demonstrated that he

is well-prepared and that he will be a conscientious Board Member.

Bob Shotts and I just returned from the Council of Landscape Architectural Registration Boards (CLARB) annual meeting held in Reston, Va. My week began with my last Board of Directors meeting as the Region II Director. CLARB continues to do a great job of managing day-to-day activities while maintaining a future focus. The Board adopted a new exam policy covering the consistent development and administration of a fair, effective and defensible Landscape Architect Registration Exam (L.A.R.E.). The Board also approved the FY2015 budget; membership dues have been set at a fixed rate for the next three years; and, for the first time, CLARB has met its financial reserves goal. The Board also received an update on the Regulating Welfare Pilot project. CLARB and the Ohio Board will work to codify "welfare" in Ohio. Public health and safety have been fairly easy to define, but welfare has remained much less clear. CLARB's ground-breaking welfare study is the framework needed to begin the discussion, and hopefully Ohio will be the first to have it included in their statutes.

Other highlights for the meeting included a full-day workshop for Member Board Executives; small group discussions concerning how changing demographics might impact the future college programs, licensee candidates and boards; and a governance assessment to assure CLARB's governance is aligned with the needs of the organization. One of my highlights was watching former Missouri Board Member Jerany Jackson be elected as CLARB President. Jerany was active in CLARB from 2002 to 2012 while representing Missouri at CLARB meetings. She has served CLARB as Region II Director, Secretary, Vice President, President Elect and now as President.



Stephanie Landregan passed the presidential reigns to Jerany Jackson.

If you have any questions, please feel free to contact me if I can ever be of any service to you.



# IMPORTANT INFORMATION REGARDING THE RENEWAL OF YOUR LICENSE

If you were originally licensed in an **EVEN** year, you are due to renew your license by December 31 of this year. In fact, you should have already received a “Renewal Notice” around the first part of October reminding you to renew. The “Renewal Notice” that was mailed this year is different than the “Renewal Application” that had been mailed to you in previous years. The reason for this change is due to the recent passage of SB 808, which became law on August 28.

We are pleased to report that with the passage of SB 808, it is no longer a statutory requirement for your Social Security Number (SSN) to be included on your Renewal Application. This is a change the Board had sought and supported for a number of years.

Based on renewal statistics collected over the past several years, it has been documented that approximately 80% of our licensees had renewed their license online. Therefore, in an ongoing effort to keep your renewal fee one of the lowest in the nation, we opted this year to send “Renewal Notices” reminding you to renew your license in lieu of the actual paper “Renewal Application.” The “Renewal Notice” provides a PIN number along with instructions on how to renew your license via the Board’s online renewal feature. By renewing online, you are provided with immediate confirmation that your license renewal has been received. It also allows you to pay your renewal fee with a major credit card. Both individuals and corporations can renew online.

Although we strongly encourage you to renew your license online, we realize not everyone has that capability nor is the online renewal feature available for everyone. Online renewals are not available for the following licensees\*:

- Licensees wishing to change their license status from active to inactive;
- Licensees who currently hold an inactive license and wish to return to an active status;
- Licensees who currently hold an inactive license and wish to remain inactive;
- Licensees who will have reached the age of 75 or older; and
- Licensees renewing after 11:59 p.m. Central Standard Time on December 31, 2014.

\*These licensees must complete and submit a paper renewal application. To request a paper renewal application, please call the Board office at 573-751-0047.

In closing, we kindly remind you of the following:

- Renewal notices are mailed as a courtesy to all licensees.
- The renewal notice is mailed to your address of record on file at the Board office. If you move, it is your responsibility to notify the Board office of your new address promptly so that we can update your record.
- The Board cannot be responsible for misplaced or mishandled mail.
- Failure to receive a notice for renewal of a license or certificate of authority does not relieve the licensee or certificate holder from their duty to timely renew, nor does it relieve them from the obligation to pay any additional fee(s) necessitated by any late renewal.

It is the licensee’s responsibility to ensure that the renewal application is completed and submitted in a timely manner. The renewal period will end on December 31, 2014. A licensee who fails to renew his/her license by the renewal date shall not practice in Missouri. Licensees practicing in Missouri without a renewed license are subject to disciplinary action by the Board.

If you are not sure when your license expires, you can either call the Board office; visit the Board’s website and click on “Licensee Search” via <https://renew.pr.mo.gov/licensee-search.asp>; or look at the 5” x 7” certificate sent the last time you renewed, which displays your expiration date.

*NOTE: Section 324.010 – No Delinquent Taxes, Condition for Renewal of Certain Professional Licenses*

*All persons and business entities renewing a license with the Division of Professional Registration are required to have paid all state income taxes and also are required to have filed all necessary state income tax returns for the preceding three years. If you have failed to pay your taxes or have failed to file your tax returns, your license will be subject to immediate suspension within 90 days of being notified by the Missouri Department of Revenue of any delinquency or failure to file. If your license is suspended for state income tax, you must stop practicing immediately and you cannot return to practice until your license is active again. If you have any questions, you may contact the Department of Revenue at 573-751-7200.*





# NCEES SEEKS LICENSED CIVIL ENGINEERS

NCEES is seeking licensed civil engineers to participate in a standard-setting study for the Principles and Practice of Engineering (PE) civil exam, which is used throughout the United States for licensing purposes. To qualify, volunteers must be licensed professional engineers practicing in the civil engineering discipline.



The standard-setting study will take place May 15–16, 2015, in Clemson, South Carolina. Travel and lodging expenses will be paid by NCEES. Selected volunteers will review and rate the difficulty of items that will be included on the updated exam. The volunteers' responses will help NCEES determine the passing score for the PE Civil exam.

## ABOUT NCEES

The National Council of Examiners for Engineering and Surveying is a nonprofit organization made up of engineering and surveying licensing boards from all U.S. states, territories, and the District of Columbia. Since its founding in 1920, NCEES has been committed to advancing licensure for engineers and surveyors in order to protect the health, safety, and welfare of the U.S. public. NCEES helps its member licensing boards carry out their duties to regulate the professions of engineering and surveying. It develops best-practice models for state licensure laws and regulations and promotes uniformity among the states. It develops and administers the exams used for engineering and surveying licensure throughout the country. It also provides services to help licensed engineers and surveyors practice their professions in other U.S. states and territories. For more information, please visit [ncees.org](http://ncees.org).

## REMINDER: SHORTENED ARCHITECT REGISTRATION EXAMINATION (ARE<sup>®</sup>) RETAKE POLICY WENT INTO EFFECT OCTOBER 1, 2014

Beginning October 1, 2014, candidates who have failed a division of the Architect Registration Examination (ARE<sup>®</sup>) will be able to retake the division as soon as 60 days after the previous attempt and up to three times in a running year.

Candidates who have recently failed a division of the ARE may want to wait to schedule their retake until after October 1 to take advantage of the new policy, as this change will be applied to all new exam eligibilities and those not already used to schedule an appointment. Any retakes that were scheduled before October 1 will be subject to the current six-month retake policy and will not be able to be rescheduled under the shortened retake policy.

This change is possible because of the 2013 implementation of My Examination, a system that now provides NCARB with sophisticated technology to manage candidate services. This crucial improvement allows NCARB to decrease the wait time between retesting on a division while ensuring the protection of exam content.

Learn more about this new policy on [NCARB's Blog](#).



## 2014-2015 L.A.R.E. ADMINISTRATION DATES & DEADLINES

**December 1 – 13, 2014**

Registration opened on Sept. 2, 2014, and closes on Nov. 21, 2014, at Midnight ET

**April 6 – 18, 2015**

**August 3 – 15, 2015**

**November 30 – December 13, 2015**

Questions? Please contact CLARB [here](#) or via phone at 571-432-0332. CLARB's office hours are Monday through Friday 9 a.m. to 5 p.m. Eastern time.

## SCHEDULE OF UPCOMING BOARD MEETINGS

**November 10 – 11, 2014, Springfield**

**January 26 – 27, 2015, Jefferson City**

**April 20 – 21, 2015, Chesterfield**

**August 3 – 4, 2015, Kansas City area**

Meeting locations may vary. For current information, please view notices on our website at <http://pr.mo.gov/apelsa-meetings.asp> or call the Board office.

If you are planning to attend any of the meetings listed above, notification of special needs should be forwarded to the Missouri Board for Architects, Professional Engineers, Professional Land Surveyors, and Professional Landscape Architects, 3605 Missouri Blvd., Jefferson City, MO 65109, or by calling 573-751-0047 to ensure available accommodations. The text telephone for the hearing impaired is 800-735-2966.

Note: Board Meeting Notices are posted on our website: <http://pr.mo.gov/apelsa-meetings.asp>.

## EXAMINATION DATES AND FILING DEADLINES

The Fundamentals of Engineering (FE) and the Fundamentals of Surveying (FS) Examinations will be offered during the months of January, February, April, May, July, August, October and November as computer-based exams at Pearson VUE testing centers. Candidates for the FE or FS examination must register directly with NCEES at [www.ncees.org](http://www.ncees.org). After successfully completing the FE or FS examination, examinees will need to complete an application for enrollment as an engineer intern or land surveyor-in-training. Application forms can be obtained from the Board's website: <http://pr.mo.gov/apelsa>.

<b>Principles and Practice of Land Surveying Examination Dates</b>	<b>Application Filing Deadline</b>	<b>Re-Examination/ Re-Scheduling Application Filing Deadline</b>
April 17, 2015	December 1, 2014	February 15, 2015
October 30, 2015	June 1, 2015	August 15, 2015
April 15, 2016	December 1, 2015	February 15, 2016
October 28, 2016	June 1, 2016	August 15, 2016
April 21, 2017	December 1, 2016	February 15, 2017

<b>Principles and Practice of Engineering Examination Dates</b>	<b>Application Filing Deadline</b>	<b>Re-Examination/ Re-Scheduling Application Filing Deadline</b>
April 17, 2015	December 1, 2014	February 15, 2015
October 30, 2015	June 1, 2015	August 15, 2015
April 15, 2016	December 1, 2015	February 15, 2016
October 28, 2016	June 1, 2016	August 15, 2016
April 21, 2017	December 1, 2016	February 15, 2017

**Completed Application for Examination or Re-examination/Rescheduling Application Form must be filed (received) in the Board office no later than the filing deadline; NO EXCEPTION.**

Please access [http://www.ncees.org/Exams/Pages/Exam\\_schedule.php](http://www.ncees.org/Exams/Pages/Exam_schedule.php) for additional examination dates and other useful information.



# LEGISLATIVE UPDATE

By: Judy Kempker, Executive Director



Over the past four years, the Board has worked very closely with the professional associations of the American Institute of Architecture, Missouri (AIA-MO); the Missouri Society of Professional Engineers (MSPE); the Missouri Society of Professional Surveyors (MSPS); and the Missouri Association of Landscape Architects (MALA) in an attempt to update the provisions in Chapter 327, RSMo. Certain sections of Chapter 327, RSMo, have been revised over the years; however, the chapter, as a whole, has not had a major overhaul since

1969 and therefore was in dire need of updating.

In a concerted effort, the professional associations banded together and filed legislation this past session via SB 809, which proposed to modify the provisions of Chapter 327, RSMo, regarding the licensing of architects, professional engineers, professional land surveyors and professional landscape architects. After a lot of compromising, multiple revisions and extraordinary leadership by the Bill's sponsors, Sen. Jay Wasson and Rep. Kevin Elmer, we are pleased to report that SB 809 was truly agreed to and finally passed on May 16, 2014. It was signed by Gov. Jay Nixon on July 1, 2014, and became law on August 28, 2014.

The following is a brief summary of the changes made:

- Definitions of "Design Coordination," "Design Survey," "Incidental Practice," "Responsible Charge" and "Technical Submissions" have been added.
- The long-standing definitions of "Architecture," "Professional Engineering," "Professional Land Surveying" and "Professional Landscape Architecture" have all been revised to include the provision of "responsible charge" along with some other profession-specific edits which were made for purpose of clarity.
- A substantial change made in the definition of "Professional Land

Surveying" is that now all recordable documents with a legal description are required to be signed and sealed by a Professional Land Surveyor (PLS). The new requirements apply to all recordable documents that contain a legal description and affect the location of the boundary lines of the subject property. It also affects all recordable documents for both the acquisition of property rights (negotiated and condemned) and the conveyance of property rights. The signature and seal of a PLS is NOT required on legal descriptions when the locations of the boundary lines are not affected.

- The national exams administered for licensure and/or enrollment as an architect, engineer intern, land surveyor-in-training and professional landscape architect are already computerized and soon the national exams for licensure as a professional engineer and a professional land surveyor will also be computerized. Since having gone computerized, the procedures for application processing and exam administration have changed. These changes are now reflected in the statute.
- The profession title for landscape architects has been changed to "Professional Landscape Architects." The letters "PLA" will now be used as the profession designation.
- Effective with the upcoming renewal period, a license or certificate of authority issued to any individual or corporation licensed as an architect, professional engineer, professional land surveyor, or professional landscape architect which is not renewed by the certificate renewal date (December 31) shall expire on the renewal date and be void and the holder of such expired certificate shall have no rights or privileges under such license or certificate; any person or corporation whose certificate has expired as provided in Chapter 327, RSMo, may, within three months of the certificate renewal date or at the discretion of the board and upon payment of the required fee, be renewed, re-licensed or reauthorized under such person's or corporation's original license number. Pursuant to this revision, a license or certificate of authority not renewed by the renewal date will no longer lapse on April 1 and be eligible for reinstatement. Instead, if not renewed within three months of the



renewal date, the license will **expire**. In order to bring an expired license back to an active status, the holder of the expired license will have to apply for re-licensure.

- A number of other changes were made throughout the chapter including cleaning up and standardizing language for the sake of consistency and clarity.

Once adopted by the Reviser of Statutes, you will be able to access and view the revised statute, in its entirety, on the Board's website at <http://pr.mo.gov/apelsla.asp>.

As you might imagine, many of the revisions to Chapter 327, RSMo, have necessitated the need for some amendments to the Board Rules. These amendments are currently being processed. They, too, will be published on the Board's website for your viewing.

Other bills of interest that the Board had tracked this past session include—

**SB 504** — This act provides that state agencies must make proposed rules available to the public by providing a web page which contains a summary, full text of the rule, and a fiscal note for each proposed rule, as well as a link to the Missouri Register. This information must be made available on the website the same day that the proposed rule is published in the Missouri Register. *This bill was truly agreed to and finally passed on May 14, 2014 and signed by the governor on July 2, 2014. It became law on August 28, 2014.*

**SB 528** — Under current law, every application for a renewal of a professional license, certificate, registration or permit must contain the applicant's Social Security Number. This act states that an application for a professional license renewal only has to include a Social Security Number in situations where the original application did not contain a Social Security Number. After the initial application for license renewal, which includes a Social Security Number, an applicant is no longer required to provide a Social Security Number in subsequent renewal applications. *This bill, as a stand-alone, was amended onto SB 808 which was truly agreed to and finally passed on May 1, 2014, and signed by the governor on July 10, 2014. It became law on August 28, 2014.*

**SB 645** — Currently, certain information pertaining to a licensee or applicant under the Division of Professional Registration is treated as

confidential and only disclosed with the person's consent, pursuant to litigation or other lawful requests. This act would have allowed the disclosure of applicant or licensee information when requested by members of the General Assembly or their employees. *This bill did not pass.*

**SB 704** — This bill proposed to modify the qualification requirements for enrollment as a land surveyor-in-training and to increase the educational requirements for licensure as a Professional Land Surveyor. *This bill did not pass.*

**SB 803** — This bill would have allowed third- and fourth-class counties to adopt building codes upon voter approval and exempted agricultural structures from county building codes. *This bill did not pass.*

**HB 1182** — This bill proposed to revise and update statutory language and references. In its main provisions, the bill: Updates intersectional references (sections 104.342, 104.1024, 105.400, 105.430, 210.114, 288.036, 301.562, 324.028, 324.159, 326.265, 327.051, 329.025, 330.190, 332.041, 334.618, 335.036, 336.160, 338.130, 339.120, 345.035 and 414.412, RSMo). This was more or less a cleanup bill. It proposed to change Section 327.051.2, RSMo, to make reference to subsection 11 of Section 324.001, RSMo, instead of subsection 10. *This bill did not pass.*

**HB 1212** — This bill would have authorized any political subdivision to enter into design-build contracts for construction projects exceeding \$1 million. *This bill did not pass.*

**HB 1532** — This bill proposed to designate the third week of February as "Engineers Awareness Week" in the state of Missouri. *This bill did not pass.*

**HB 1660** — This bill was a companion bill to SB 803 and would have allowed third- and fourth-class counties to adopt building codes upon voter approval and exempted agricultural structures from building codes in those counties. *This bill did not pass.*

**HB 1824** — This bill established guidelines for the regulation of occupations and professions not regulated by the Division of Professional Registration within the Department of Insurance, Financial Institutions and Professional Registration prior to January



1, 2015, and those regulated professions that seek to substantially increase their scope of practice. The bill specifies that an individual may engage in the occupation of his or her choice, free from unreasonable government regulation. The state may not impose a substantial burden on an individual's pursuit of his or her occupation or profession unless there is a compelling interest for the state to protect the general welfare. Where an interest exists, the regulation adopted by the state should be the least restrictive type of regulation consistent with the public interest to be protected. *This bill did not pass.*

**HB 1891** — This bill (also referred to as the “Deregulation Bill”) authorized a person to engage in the practice of specified professions without being licensed if he or she did not hold himself or herself out as being licensed. (The profession of landscape architects was

included in this bill.) *This bill did not pass.*

**HB 1910** — This bill would have allowed any political subdivision that adopts a qualification-based selection procedure for county procurement contracts to collect a fee proposal from three qualified firms. *This bill did not pass.*

**HB 1945** — This bill authorized any political subdivision to enter into design-build contracts for construction projects exceeding \$1 million. *This bill did not pass.*

**HB 2131** — This was a companion bill to SB 809, which proposed to modify the provisions of Chapter 327, RSMo, regarding licensing of architects, professional engineers, professional land surveyors and professional landscape architects. *This bill did not pass.*

## NEW BOARD MEMBER



Noel T. Fehr, ASLA, PLA, has been appointed by Gov. Jay Nixon to serve as a member of the Professional Landscape Architectural Division of the Board. Noel's appointment went into effect on June 2, 2014.

Noel is a principal of Planning Design Studio, a St. Louis planning, landscape architecture and urban design firm founded in 2006. Previously he led this same professional practice within Harland Bartholomew & Associates and Parsons Corporation.

His practice has focused on community enhancements, including site master planning through final design/construction documents for parks, greenways, the urban public realm and streetscapes. Key assignments in his career include the River Des Peres Greenway (St. Louis); the Olive/I-270 Creve Coeur Community Gateway & Bio-Research Corridor; site development at four National Parks; Tanhai New Town Urban Design Master Plan (ROC); and a sustainable streetscape at the Missouri Botanical Garden. Over 25 of his projects have received planning and design awards from several professional organizations.

Noel received his Bachelor of Landscape Architecture degree from Kansas State University. He has been an active member of ASLA, serving as the St. Louis Chapter President and as chair of several committees. In these and other roles, he has advocated and promoted the profession throughout his career. Community service has included serving on the Board of Directors for St. Louis Gateway Greening and the Faust Park Foundation.

Noel and his wife Carole live in University City and enjoy spending time with their four sons, three daughters-in-law, and seven grandchildren. His other interests include golf, gardening and travel.



# THE CHANGE TO SECTION 327.272, RSMO; WHAT DOES IT MEAN?

By: Curtis F. Thompson, General Counsel



The definition of Professional Land Surveying was amended by the General Assembly in legislation passed in 2014 and signed by Governor Nixon. The new language became effective on August 28, 2014. The changes were part of a larger package of amendments to Chapter 327, RSMo, many of which were cosmetic to harmonize with changes adopted in previous legislative sessions.

There were three additions to the definition of professional land surveying and a clarification regarding responsibility of surveyors when the health, welfare, or safety of the public is involved with a surveying activity. The definition of professional land surveying was expanded to include the “preparation of property descriptions,” “the survey and location of rights-of-way and easements” and a service or work that involves “design surveys.” The change regarding “design surveys” continues to be non-exclusive to land surveyors except under circumstances in which the design surveys affect real property rights. Other professionals such as engineers and architects can prepare design surveys if property rights are not affected.

It is important to note the distinctions between the language used in the other two additions. The first one requires land surveyors to perform service or work involving a preparation of property descriptions. The second one requires land surveyors to perform service or work involving survey and location of rights-of-way and easements. Please note that if a deed does not require either a preparation of a property description or a survey and location of rights-of-way or easements, the law remains unchanged. Others, such as lawyers and real estate agents and brokers, who copy descriptions in order to complete a sale of real estate are not affected. The Board reminds its licensees that blanket easements can no longer be used by condemning authorities under Section 523.282, RSMo, passed in 2007.

While drafting this article, the Board became aware of a letter sent by the Missouri Department of Transportation to its consultants that SB 809 applies to “all recordable documents with a legal description.” In that letter, MoDOT concluded that such documents are “to be signed and sealed by a Professional Land Surveyor.” The department also stated that the “new requirements apply to all documents used by the Commission for the acquisition and conveyance of property rights, including deeds.” The Board concurs completely with that analysis. It also agrees with MoDOT that the new requirements do not apply when access rights are the only rights being acquired, when a temporary easement is being acquired or when the legal description is merely being copied from a previous deed. MoDOT’s letter is limited to its conveyances, but that is understandable because it was sent to MoDOT’s consultants. The Board believes that the requirements apply to all documents used for the conveyance of real property rights, regardless of who acquires or conveys those rights.

A new section – Section 327.272.3, RSMo – was also adopted, which reads “Professional land surveyors shall be in responsible charge of all drawings, maps, surveys, and other work product that can affect the health, safety, and welfare of the public within their scope of practice.” This section means precisely what it says. Land surveyors are responsible for any professional land surveying completed on any project they undertake in conjunction with others if the surveying affects the public health, safety or welfare. There may have been a misunderstanding regarding the authority of a land surveyor when multiple disciplines are involved with a project, and this clarification makes it clear that when health, welfare or safety of the public is implicated, a land surveyor is in charge of all mapping or surveying work for that project.



# NEW LICENSEES

## ARCHITECTS

The following individuals were licensed between April 1, 2014, and October 1, 2014

Angulo, Luis A.	Garbisch, Alyse Leigh	Klee, Charles S.	Paisley, Benjamin Scott	Stovesand, Paul
Ashworth, Richard A.	Garrett, Chasen Brown	Klittich, Sarah A.	Phillips, Kris David	Sullivan, Kevin B.
Atout, Rami Ibrahim	Garrett, Jonathan Andrew	Koci, Trent J.	Prevot, Mark W.	Sundermeyer, Michael S.
Ballantyne, Jeffrey Douglas	Goring, Christopher J.	Laggan, Daniel Charles	Quick, Daryl D.	Taylor, Randall P.
Biernbaum, Jeff William	Griffin, Michael Englebert	Lang, Peter F.D.	Rebbe, G. Matthew	Uhlir, Grant C.
Block, Alexander P.	Groth, Miranda L.	Liu, Chang	Reeve, Kim	Ustanik, Lubomir
Bone, Jeffrey Charles	Hand, Ashley Z.	Loversidge, Robert D., Jr.	Reich, Andrew M.	Van Tine, Kenneth Ronald
Bostwick, Robert L.	Hartung, Timothy P.	Lovett, George Dare, III	Reyes, Johan	Verkamp, Jeff
Boyne, Daniel Robert	Hawks, Richard B., Jr.	Lucht, John Christian	Riddle, Timothy	VerSchave, Everett L.
Brown, Mitchell A.	Heitman, Erik W.	Maddalena, B. Dean	Rios, Kaysha M.	Vidlak, Edward J.
Busch, Robert M.	Hemberger, Joshua M.	Manwaring, Roger D., Jr.	Roberts, Casey	Walden, E. Ralph
Carroll, Dennis Andrew	Herring, Britton Reid	May, Danielle	Rochon, Ronald	Walker, Paul Alan
Cato, Brett Edward	Higbie, Melissa	McClurkan, Kevin P.	Rodebaugh, Aaron M.	Waltz, Paul David
Cortez, Andrew	Howa, Joshua E.	McCrery, James	Rodriguez Boog, Ariadne	Wetzel, Michael Edward
Cummins, James Francis	Huesemann, Jane E.	McKean, Douglas McR.	Rolling, Dawn M. O.	Wight, William
Davis, Kyle C.	Hutcherson, Jason C.	McLaughlin, Matthew W.	Rossant, Tomas	Williams, Mark Allen
Delmez, Brett M.	Janson, Charles E.	Meckley, Todd A.	Rousey, Julie M.	Windel, Elizabeth Anne
Dennis, Kenneth B.	Joggerst, Jerrod Michael	Miguez, Thad Elliot	Scanlon, Emily Garrett	Wolf, Eric Christian
Drachman, Leon W.	Johnson, Richard S.	Moore, Benjamin Harding	Schaeffner, Robert J.	Worley, Gregory H.
Dunwoody, Natasha Lea	Jordan, Bruce D.	Moss, Jacob L.	Schoeneck, Jeffrey Alan	Young, Lee Candler
Nosic	Jordan, Robert Lawrence	Newland, Jason David	Schump, Aaron	Zenoni, Eric
DuSell, Gordon C.	Kavanaugh, Michael P.	Nguyen, Ngoc Bao	Seibert, David S.	
Endsley, David S.	Kelly, Matthew Nelson	Nourzad, Falamak	Senne, Aaron	
Evans, David John	Keys, Matthew David	Owings, Mark J.	Smailbegovic, Alma M.	
Ganthner, Jeffrey William	Kimball, Micah John	Pagenkopf, Blake	Stornello, Michael J.	

## ARCHITECTURAL CORPORATIONS/LLCs

The following corporations and LLCs were licensed between April 1, 2014, and October 1, 2014

Arkifex Studios LLC	Checkmate Design, L.L.C.	InFORM Studio, P.C.
Array Architects, Inc.	Chemical Engineering & Instrumentation Consultants, Inc.	Jviation, Inc.
B.G. Consultants, Inc.	Civil Engineers of Southwest Ohio, Inc.	L.R. Spraul Designs LLC
Big Red Rooster Architecture, LLC	Clark Huesemann LC	L+P Architecture LLC
BKA Architects, Inc.	CoreStates, Inc.	Lenity Architecture, Inc.
BKL, Inc.	Dye Aviation Facility Architecture, LLC	Liquid Design, P.C.
Bullock, Smith and Partners, Inc.		Nielsen Architecture, LLC



Omniplan, Incorporated  
Paradigm Architecture, Inc.  
Patterhn Ives, LLC  
Purdy & Slack, Architects, P.C.

RCS Development LLC  
Shelter 24 Architecture & Development, LC  
Sink Combs Dethlefs, A Prof Corp for Arch  
Ter Wisscha Construction, Inc.

Tipton Associates, PC  
Total Engineering Services, LLC

## PROFESSIONAL ENGINEERS

The following individuals were licensed between April 1, 2014, and October 1, 2014

Aakre, Benjamin R. E.	Betts, Joshua Lee	Claussen, Grant Reid	Dusenberry, Drew Anthony	Gobbi-Belcredi, Kristen
Abbott, Eric Lee	Bhavsar, Amit D.	Clay, James David, Jr.	Edgington, Steven Michael	Godet, Vaughn Jamahl
Adams, Kyle Collins	Binge, Joseph Charles	Clemente, Kris Jordan	Edwards, Luke Michael	Goertz, David Allen
Aguirre, Daniel Stephen	Bird, Natalie Elizabeth	Cochrane, Eugene S.	Ellis, Britt	Golden, James Matthew
Aholt, Katie	Birke, Joel James	Colbern, Casey B.	Esslinger, Charles C.	Goltz, Brandon A.
Aldridge, Kenneth Ray	Block, Chantal Mailhot	Collier, Matthew Michael	Farleigh, Thomas K., II	Gombos, Brian Edward
Alejo, Ricky	Blush, Michelle A.	Conner, Shannon Lee	Feezor, Samuel F.	Gonzales, Benjamin C., V
Allwardt, Daniel Wayne	Bodenhamer, Kevin C.	Cook, Ashley E.	Fischer, George Travis	Grahl, Stephanie Mills
Anderson, Dennis J.	Boeckmann, Joshua Ryan	Cook, Jeffrey Paul	Fisher, Brett Hayden	Granich, James Michael
Anderson, Derek Roy	Bolyard, Joseph Ryan	Coons, Haley J.	Fisher, Cory Adam	Grayson, Gregory P.
Anderson, Larry Allen	Bowers, James Michael	Cox, Lori L.	Fitzpatrick, Douglas G.	Griffiths, Alan Keith
Anderson, Neal S.	Boyster, Rachael Yvonne	Craddock, Charles Edward	Fleck, James Kenneth	Guenther, Jeffrey Joseph
Andrews, Bruce A.	Bradford, Andrew	Cravens, Joseph Ronson	Fleer, Bryan John	Guess, Mark
Asis, Daniel Manglicmot	Brewer, Daniel C.	Culver, Michael A.	Flood, Stacy Richmond	Haddock, James R.
Aulbaugh, Brian David	Brickel, Joshua Jacob	Cunningham, Stuart Laird	Foan, Fred John	Hale, Stephanie K.
Baddour, Youssef Victor	Brinjac, David Anton	Daily, Gerald John	Foldes, Thomas J.	Hall, Adam B.
Bahaaldin, Karzan Husam-uldeen	Brocka, Stacy G.	Daly, Robert Gordon	Ford, Bryan A.	Hall, James G.
Bahr, Damian Michael	Brown, William Cabot	Dates, Matthew Joseph	Ford, Byron L.	Hall, Rex James
Bailey, Matthew Walter	Bruemmer, Travis Charles	Davidson, Matthew Braxton	Ford, Matthew L.	Hampel, Kevin William
Baker, Laura Jean	Bruns, Brian James	de Guzman, Arjay	Frankenberg, Anthony G.	Hankins, Ryan W.
Bankston, Jerad Michael	Bunch, Mandy R.	Dean, Garrett Alan	Franklin, Jerrod Keith	Haran, Siva K.
Barker, Tyler Madison	Burgoon, Justin E.	DeBernardi, Bret A.	Frazier, Robert Jamal	Harder, Daniel Edward
Barnes, Anthony J.	Burniston, Raymond J.	Deeke, Gregory L.	Freyenberger, Mark A.	Harter, Thomas C.
Baroonian, Armen	Burton, Howard Scott	DeGonia, Adam Vincent	Gambill, David	Harty, John W., Jr.
Barry, Stephanie Lynne	Buurstra, Matthew Peter	Dickey, Bryan John	Gasulla, Ernesto Marcelo	Harvey, Glenn William
Battles, Thomas R.	Capp, Justin Wayne	Dietzel, James William	Gatewood, Scott C.	Hathhorn, Jonathan Lee
Baxter, James Jones	Carlson, Joseph Gerald	Dillon, Scott Edward	Gatmaitan, Jason	Haywood, Jeremy A.
Beezley, Raymond Andrew	Carroll, Donald	Dotson, Richard	Gemar, Jennifer Ann	Heldenbrand, Charles S.
Beltavski, Theodore A.	Cassell, Timothy D.	Doyle, Michael D.	Gentry, Guy P.	Henkhaus, Rachel Elizabeth
Bennett, Michael Dennis	Chacon, Guillermo	Drabic, Matthew Michael	George, Craig R.	Henry, Kyle James
Benson, Ralph David	Chan, Hay	Driscoll, James Stephen	Gerdeman, David Robert	Hernandez, Samantha Kay
Bergoon, Arthur Scott	Chapman, Jeff	Dunham, Tyson Lee	Gerdeman, Richard F., III	Herzog, Jacob Noah
	Childress, Dan	Duray, David George	Gleich, Lorintz Benjamin	Herzog, Joshua Eric

# DIMENSIONS

Hess, Michael Robert	Kramer, Ralph J., III	McCarthy, Timothy Patrick	O'Connor, Amanda Marie	Rhodes, Raymund Antwine
Hilgedick, Adam	Kraus, Nathan P.	McCluskey, Patrick Arthur	Older, Stephen Edward	Rich, Amanda Louise
Hill, Andrew Keith	Krehbiel, Timothy M.	McCormack, Daniel W.	Maxwell	Richardet, Dominic J.
Hoefler, Scott Douglas	Krueger, Christopher	McCurdy, Kevin Dennis	Olson, Leslie Kaye	Richardson, Jamie M.W.
Holland, John M.	Kruppa, Robert V.	McDaniel, Bryan C.	Padewski, Edward Anthony, III	Rieschick, Andrew
Hollenbeck, Matthew J.	Ladd, Brian H.	McFarland, Wayne E.	Paison, William	Ritchie, John Louis
Holman, Gregory B.	Laine, Brian Christopher	McFee, Richard D.	Palmer, Jason E.	Robben, Timothy John
Holtgrewe, Joshua David	Lancey, Michael B.	McHenry, Steven James	Patega, Tatsiana	Roberts, Gary Arlin
Holzer, Eric Robert	Landoll, Drew William	McLean, Brett Maxwell	Patel, Kaushikkumar	Roberts, Wallace H.
Hood, Terence A.	Laney, Michael William	McPherson, Jason	Jesangbhai	Robertson, Brian Glen, II
Hooker, Samuel Jason	Larsen, Robert E.	Mellen, George Henry	Patel, Nirav T.	Roedel, Stephen James
Horton, John Leroy	Lascola, Matthew A.	Merrill, Christopher B.	Patel, Purushottam M.	Roeder, Eric
Hougland, James Y. L.	Latta, Trent E.	Metcalf, Matthew	Pearson, Allison L.	Rogers, Michael D.
Hoving, James F.	Leach, Nathon Edward	Meyers, Paul Richard, Jr.	Peterson, Sean	Rokach, Abraham J.
Hubbard, Barrett	Leadbitter, William Gage	Mickelson, David S.	Pettibone, Jordan E.	Rometo, Michael A.
Huckaba, Dennis Allen, II	Lederman, Erik Theodore	Miller, Carl Douglas	Pettis, Richard Charles, Jr.	Roppesch, James William
Huff, Jason D.	Lee, Hak Sop	Miller, Julia Victoria	Pierce, Mark D.	Rose, Melissa DeeAnn
Hull, Warren Richard	Leff, Joseph Asher	Miller, Michell Lynne	Plantes, James P.	Ruby, Todd Evan
Huller, Amy Lynn	Lepper, David Dean	Miraflores, Ramon B., III	Polovina, Katerina	Rysz, Michal
Hungerford, Brent E.	Lepper, Derek F.	Mitchell, Brian R.	Prenger, Kirk Edward	Salt, Thomas A.
Hunter, Daniel T.	Letkiewicz, Darek	Mitchell, Gary B.	Price, Justin Ray	Sanders, Brent
Huth, Eric T.	Lewin, Charlotte Barbara	Montiel, Antonio Adolfo	Puckett, Shane Roger	Sarkisian, Gregory
Jacoby, Samuel John	Lewin, Thomas James	Montoya, Jose Luis	Quarles, Bryan D.	Sartin, Bryan Curtis
Jasper, Curtis Gerald	Lilly, Christopher	Morgan, Timothy Caldwell	Quigg, Lori L.	Satchell, Terence Lee
Johnson, Anthony Steele	Lockrem, Alan M.	Morken, Jeremy L.	Quinlan, Brian J.	Scheks, Christopher J.
Jones, Aaron S.	Logan, Grant D.	Moseley, Christopher R.	Rackers, Andrew David	Schettler, Danaca J.
Jones, Phillip Henry	Long, James L.	Moser, Carson Allen	Rainbolt, Nicole Marie	Schlotzhauer, Charles
Kababik, Justin S.	Lotycz, Matthew Steven	Moss, Paul J.	Raines, Robert B., III	Patrick
Kalicak, Andrew Francis	Lyons, John Gregory	Mueller, Jeffrey Matthew	Raoof, Mehdi	Schmoker, Scott K.
Kantha Samy, Madhan	Madison, Jason W.	Mueller, Karyn Alyn	Rasch, Shane Michael	Schneider, Ronald H.
Kumar	Madlem, Troy A.	Nasser, David Philip	Rasnic, Charles Russell	Schulte, Kurt Michael
Kearby, John Andrew	Mahmood, Fazal	Neff, Timothy Michael	Rausch, Brian A.	Schweiss, Cameron J.
Kelly, Charles Spencer	Mangrum, Luke Douglas	Nekoba, Bryan Osamu	Reagan, Matthew J.	Seabaugh, Ryan William
King, Barry Alan	Mansouri, Ardeshir Eugene	Nelson, Francis B., III	Reale, Stephen Joseph	Sealy, William T.
Kitchen, Andrew Lewis	Marshall, Kenneth S.	Neupane, Deepak Kumar	Resnick, Steven Andrew	Seigfreid, Sarah Patrick
Klein, Jennifer A.	Martin, Mathew G.	Nguyen, Tien Dich	Reuschle, Stephen R.	Sherafati, Ardalan
Knox, Tyler William	Martin, William M.	Niehus, Grant Daniel	Rexshell, Joy Lynette	Shimkus, Steven
Knudsen, Justin Wade	Marzley, Brandon M.	Norman, Jesse Ethan	Reynolds, Andrea K.	Short, Gregg David
Kobb, Nathaniel J.	McCain, Aaron Kesler	Obermark, Michael David	Rhoads, Rusty G.	Siegrist, Kevin William
Kohler, Jonathan Adam	McCann, Justin Davis	O'Brien, Michael	Rhodes, Mark Allen	Silver, Jonathan Michael



Simoneaux, Kirk J.	Stockton, Zachary John	Tierney, Joseph E.	Wang, Zheng-Ming	Wiers, Bruce A.
Simpson, James T.	Stodola, Adam	Tikker, Robert D.	Warburton, Wayne L.	Wildhaber, Norbert P., Jr.
Singleton, Jeffery Todd	Straatmann, Patrick D.	Tinlin, Sean Christian	Warner, Brian J.	Wilkerson, Matthew Dale
Skillern, Nathan Edward	Strain, Nicholas Andrew	Tool, Nathan Allen	Warren, Kelly Michelle	Willey, Courtney Elizabeth
Smalley, Robert Jeffery	Straszacker, Tim Joseph	Triandafilou, Nicholas R.	Waters, Charles Stockdale	Willis, Herrold Dekle
Smith, Anastasia M.	Stratton, Kenneth J.	Trullinger, John G.	Watson, Joseph Thomas	Wilson, Susan Elizabeth
Smith, Steven Richard	Strauss, Thomas Vincent	Tryon, Mark Adam	Webster, Craig Hollis	Wise, Elena Topacio
Smith, Walter Reeve, Jr.	Stremick, Briana Dawn	Turner, Joe	West, Christopher Alan	Wolf, Eric Michael
Soller, Christopher A.	Stricker, Austin P.	Tyner, James Michael	Wetzel, Letizia R.	Wolf, Joshua T.
Song, Kyungsuk	Sturgeon, William Joseph	VanderMolen, Gary Lee	Wheat, Maurice Phillip	Womack, Melissa Jean
Spayd, Michael Lee	Sullivan, Darren	Velez, Joaquin	Wheeler, Christopher	Woods, Leonard W.
Spencer, Thomas Eugene	Sunhachawi, Jessada	Vetter, Raymond Thomas	James	Woolford, Daniel J.
Sperber, Allison Nicole	Svare, Mark James	Vitello, Matthew Christopher	White, David Alexander	Wright, Carrie Beth
Sprong, Paul R.	Swaters, Matthew William	Vlietstra, Jeffrey William	White, Mark Douglass	Xu, Ming
Stabenow, Jason Andrew	Szerzinski, Matthew	Vo, Mike Muoi Van	White, Stuart R.	Zawar, Kavish M.
Staengl, Galen	Tackett, Dustin Lee	Voltz, Charles Edward	Wibbenmeyer, Kaye Dee	Zimmerschied, Derek G.
Stann, John Francis, III	Tella, Pranavi C.	Von Hatten, Keith Daniel	Widmer, Christopher Brian	Zuroweste, Adam Karl
Steijlen, Paul R.	Thakkar, Jay	Waites, Ronald C.	Wiedel, Shawn Daniel	
Stilkey, Scott Severt	Theiss, Nicholas John	Waller, Bradley J.	Wiegmann, Skyler John	
Stockalper, Lindsey L.	Thomas, Lance D.		Wierciak, Adam E.	

## PROFESSIONAL ENGINEERING CORPORATIONS/LLCs

The following corporations and LLCs were licensed between April 1, 2014, and October 1, 2014

A2B Engineering, LLC	Consultants, Inc.	Greenview Engineering LLC
Abeinsa Engineering, Inc.	Civil Engineers of Southwest Ohio, Inc.	Howe Company, LLC
ALTEC Environmental Consulting LLC	Clark Dietz P.C.	HRP Associates, Inc.
Altstadt Engineering, L.L.C.	Clyde Wilber, LLC	Icon Engineering, Inc.
Amtron Electric Company	Condesa Engineering, LLC	Jedson Engineering, Inc.
Applied Research Associates, Inc.	Conway Duncan Inc.	Kampen & Greenwell, Inc.
Arasmith Engineering LLC	CSR Engineering Inc.	Kittelson & Associates, Inc.
B & F Engineering, Inc.	Day & Zimmermann International, Inc.	KMB Design Group, LLC
BKL, Inc.	DIS-TRAN Steel, LLC	Magnolia River Services, Inc.
Brierley Associates Corporation	Elm Energy, LLC	Manhard Consulting, Ltd.
Brinjac Engineering, Inc.	Entitlement and Engineering Solutions, Inc.	Marc Lopata, PE, LLC
Brown Engineering, Inc.	Environmental Compliance Services, Inc.	MC Power Companies, Inc.
Building Controls and Services, Inc.	Fitzpatrick Engineering Group, LLC	Merrick & Company Corporation
C T & T, Inc.	GC Engineering, LLC	Nederveld, Inc.
Cates Engineering, Ltd., PC	Gerdan Slipforming, Inc.	Phoenix Fabricators and Erectors, Inc.
Cavin & Associates, LLC	GHD Inc.	Pinnacle Engineering of Ohio, Inc.
Chemical Engineering & Instrumentation	Greenscape Pump Services, Inc.	Power Cool Engineering, P.C.





PowerServices, Inc.  
Proficient Engineering, Inc.  
Progress Engineering, L.L.C.  
R.H. Batterman & Co., Inc.  
Reese Engineering, Inc.  
Satchell Engineering & Associates, Inc.  
Simplex Time Recorder LLC  
Site Solution Professionals, Inc.  
SKS Engineers, LLC

Sperber Contracting, LLC  
Spur Design, LLC  
StrongPoint Engineering, LLC  
T.E.C. Consulting Engineers, P.C.  
Texas Design Concepts, Inc.  
The Cincinnati Air Conditioning Company  
The LaRose Group LLC  
TME, LLC  
Total Engineering Services, LLC

Tower Engineering Solutions, LLC  
Tralan Engineering, Inc.  
Vaughn, Coltrane, Pharr & Associates, Inc.  
VUEngineering LLC  
Wade Trim, PC  
Wheaton & Sprague Engineering, Inc.  
Wilkins Engineering LLC  
Willbros Engineers (U.S.) LLC

## PROFESSIONAL LAND SURVEYORS

The following individuals were licensed between April 1, 2014, and October 1, 2014

Baughman, Jed A. M.	Dormeier, Duane D.	McDowell, Daniel Ryan	Reynolds, Thomas A.	Steffens, Travis J.
Collins, Shawn A.	Hobbs, Dave	Meador, Mark A.	Schnitz, Phillip James	Washington, Russell Brian

## PROFESSIONAL LAND SURVEYING CORPORATIONS/LLCs

The following corporations and LLCs were licensed between April 1, 2014, and October 1, 2014

B & F Engineering, Inc.	Checkpoint Surveying LLC	M J Surveying, LLC
B.G. Consultants, Inc.	Howe Company, LLC	Surveying And Mapping, LLC
Brown Engineering, Inc.	LW Survey Co.	Westwood Professional Services, Inc.

## PROFESSIONAL LANDSCAPE ARCHITECTS

The following individuals were licensed between April 1, 2014, and October 1, 2014

Elmer, Andrew J.	Breneman, Catherine A.	Demchinski, Keith Edward	Runde, Scott Edward	Thibodaux, M. Dirk
Bingham, Scott Alan	Coen, Shane Alan	Ritch, Isobel R.	Snovelle, Zachery Thompson	Vergason, Edwin Michael

## PROFESSIONAL LANDSCAPE ARCHITECT CORPORATIONS/LLCs

The following corporations and LLCs were licensed between April 1, 2014, and October 1, 2014

DTLS, Inc.                    SmithGroupJJR, Inc.



# DISCIPLINARY ACTIONS

**DISCLAIMER:** Every effort has been made to ensure that the following enforcement information is correct. However, this information should not be relied upon without verification from the Board office. It should be noted that the names of companies and individuals listed may be similar to the names of the parties who have not had enforcement actions taken against them. Discipline orders are public data and copies may be obtained by contacting the Board office. Pursuant to Chapter 327, RSMo, a licensee is entitled to engage in the practice of architecture, engineering, land surveying or landscape architecture during his/her probationary period providing that the licensee adheres to all of the terms and conditions of the Order. However, a licensee whose license has been suspended, is not entitled to engage in the practice of architecture, engineering, land surveying or landscape architecture during his/her suspension period.

## LICENSEES CURRENTLY ON SUSPENSION

**CORN, MICHAEL LEWIS, A-3427** (St. Louis, Missouri) – suspended pursuant to Section 324.010, RSMo, on June 21, 2014.

**GALE, J. CHRISTOPHER A-3268** (Kansas City, Missouri) – suspended pursuant to Section 324.010, RSMo, on June 21, 2014.

**GOMEZ, MARIO P., PE-19007** (Ladue, Missouri) – suspended pursuant to Section 324.010, RSMo, on November 21, 2009.

**GOODMAN, CHARLES LOUIS, PE-2005024489** (Manhattan, Kansas) – suspended pursuant to Section 324.010, RSMo, on June 21, 2014.

**GRAEFE, SAMUEL WARD, PE-18597** (Moore, Oklahoma) – suspended pursuant to Section 324.010, RSMo, on April 23, 2011.

**HELD, FREDERICK HENRY III, PE-2006019664** (St. Charles, Missouri) – suspended pursuant to Section 324.010, RSMo, on November 21, 2009.

**KLEIN, EDWARD F., PE-13977** (Kansas City, Missouri) – suspended pursuant to Section 324.010, RSMo, on May 21, 2012.

**LARSON, KURT E., A-3605** (Ballwin, Missouri) – suspended pursuant to Section 324.010, RSMo, on June 9, 2008.

**LUCAS, MARTIN A., PLS-1857** (East Prairie, Missouri) – suspended pursuant to Section 324.010, RSMo, on November 21, 2009.

**RENNER, JOHN W., PLS-2000** (Kansas City, Missouri) – suspension commenced on June 20, 2011 for sixty days, and then placed on probation for three years, with this discipline to commence upon Mr. Renner becoming tax compliant with Section 324.010, RSMo.

**STANLEY, HAROLD RAY, PE-19372** (Peculiar, Missouri) – suspended pursuant to Section 324.010, RSMo, on June 19, 2010.

**SULLIVAN, CLYDE, PE-20086** (Webster Groves, Missouri) – suspended pursuant to Section 324.010, RSMo, on June 21, 2014.

**WOLF, DONALD R., PE-23385** (Lee's Summit, Missouri) – suspended pursuant to Section 324.010, RSMo, on June 21, 2014.

## LICENSEES CURRENTLY ON PROBATION

**ATWELL, LLC, LS-2011037945** (Southfield, Michigan) – probation commenced on June 21, 2014 and ends on June 20, 2015.

**BRADLEY, DENNIS M., A-4516** (Kansas City, Missouri) – probation commenced on December 5, 2011 and ends on December 4, 2016.



**CURTIS, DONALD DUSTIN, A-2011008143** (Phoenix, Arizona) – probation commenced on June 3, 2014 and ends on June 2, 2015.

**DAVIS, ROBERT LEE, PE-2004017156** (Tulsa, Oklahoma) – probation commenced on August 27, 2014 and ends on August 26, 2015.

**DURHAM, ROBERT A., PE-2007011752** (Tulsa, Oklahoma) – probation commenced on August 21, 2014 and ends on August 20, 2015.

**HOFFMAN, STEPHEN CLEMENT, PE-23437** (Paragon, Indiana) – probation commenced on February 14, 2014 and ends on February 13, 2015.

**LEMBERG, DANIEL, A-2006000017** (Conyers, Georgia) – probation commenced on May 14, 2014 and ends on May 13, 2015.

**LINDSEY, RAYBURN G., A-4903** (Paragould, Arkansas) – probation commenced on November 30, 2013 and ends on November 29, 2014.

**MASLAN, STEPHEN P., PE-20397** (Kansas City, Missouri) – probation commenced on February 24, 2014 and ends on February 23, 2019.

**SAPP, MICHAEL F., A-4986** (Maryville, Illinois) – probation commenced on June 3, 2014 and ends on June 2, 2016.

**SEMAAN ENGINEERING SOLUTIONS, LLC, E-2007017131** (Cary, North Carolina) – probation commenced on June 28, 2014 and ends on June 27, 2015.

**TURNER, SAMUEL III, A-2002010504** (Redfield, Arkansas) – probation commenced on May 27, 2014 and ends on May 26, 2015.

**WOLFE, EDDIE D., PLS-2190** (Branson, Missouri) – probation commenced on May 17, 2014 and ends on May 16, 2015.

## PROBATIONS

### **KAW VALLEY ENGINEERING, INC., LS-214**

Junction City, Kansas

**Summary:** The Board received information that during the period from 2011 to 2012, Kaw Valley Engineering, Inc. through its employee John Melton, an unlicensed individual under the supervision of professional land surveyor John Copelin, performed a number of “fence line surveys” in Missouri. A document provided by Leon Osbourn, President of Kaw Valley Engineering, Inc., identified 13 surveys as “fence,” “fence staking,” or “fence stake” surveys. In “fence surveys,” Mr. Melton surveyed property lines and placed stakes to guide property owners in building fences, but did not provide survey plats to the client unless requested to do so, on which occasions the survey plats would be provided to the client at extra costs. The “fence surveys” were boundary surveys within the meaning of 20 CSR 2030-16.020(8)(C), and thus were subject to the requirements of the Missouri Minimum Standards for Property Boundary Surveys.

**Cause for Discipline:** Kaw Valley Engineering, Inc. violated 20 CSR 2030-16.030(3), by performing surveys and failing to provide a signed and sealed copy of the survey plat to the client, which is cause for discipline of its land surveying corporate certificate of authority under the terms of Section 327.441.2(6), RSMo, by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter.

**Board Action:** The Board authorized the Attorney General’s Office to proceed with Settlement. On April 1, 2014, Kaw Valley Engineering, Inc. signed the Settlement Agreement with the Board whereby its land surveying corporate certificate of authority was placed on probation for an indefinite period, not greater than five years, unless earlier terminated by the Board under an application by Kaw Valley Engineering, Inc. pursuant to Paragraph 12 of the Settlement Agreement. Grounds for termination of the probation shall exist upon proof that Kaw Valley



Engineering, Inc. has provided signed and sealed plats of surveys to each of the thirteen (13) clients for whom “fence surveys” or “fence staking surveys” were performed. Further, Kaw Valley Engineering, Inc. will cease and desist from the practice of performing border or “fence staking” surveys without providing a survey plat to clients. The Settlement Agreement went into effect on April 25, 2014. Thereafter, on May 6, 2014, the Board reviewed the signed and sealed plats of surveys to each of the 13 clients and voted unanimously to remove the probationary status from Kaw Valley Engineering, Inc.’s land surveying corporate certificate of authority pursuant to the signed Settlement Agreement.

#### **ATWELL, LLC, LS-2011037945**

Southfield, Michigan

**Summary:** The Board received information that on or about November 1, 2013, Atwell, LLC signed a Settlement Agreement with the Ohio State Board of Registration for Professional Engineers and Surveyors, in which Atwell, LLC admitted that it offered and provided professional engineering and surveying services on eleven engineering and surveying projects located in Ohio while it did not have a Certificate of Authorization to do so. The Ohio Board accepted the Settlement Agreement and imposed a \$2,000 fine and a public reprimand on Atwell, LLC. On or about December 13, 2013, a representative of Atwell, LLC completed an on-line application to renew its Missouri land surveying corporate certificate of authority. Atwell, LLC’s representative selected in the affirmative the specific box stating that “My corporation has not been the subject of disciplinary action, or entered into any type of settlement agreement, providing for any limitation on the corporation’s ability to practice, or monetary penalty or payment of costs in any other licensing jurisdiction that I have not previously disclosed to this Board.” Atwell, LLC’s statement was incorrect, as it had signed a Settlement Agreement with the Ohio Board on November 1, 2013, agreeing to accept the discipline proposed by the Ohio Board.

**Cause for Discipline:** Cause exists for the Board to discipline Atwell, LLC’s land surveying corporate certificate of authority pursuant to Section 327.441.2(3), RSMo, by use of fraud, deception, misrepresentation or bribery in securing any license or certificate of authority issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter; and, Section 327.441.2(8), RSMo, by disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state.

**Board Action:** The Board authorized the Attorney General’s Office to proceed with Settlement. Thereafter, a Settlement Agreement was signed by Atwell, LLC placing its land surveying corporate certificate of authority, LS-2011037945, on probation for a period of one (1) year commencing on June 21, 2014 and ending on June 20, 2015.

#### **SEMAAN ENGINEERING SOLUTIONS, LLC, E-2007017131**

Cary, North Carolina

**Summary:** The Board received information that on or about November 4, 2013, Semaan Engineering Solutions, LLC signed a Settlement Agreement with the Ohio State Board of Registration for Professional Engineers and Surveyors, in which Semaan Engineering Solutions, LLC admitted that it provided professional engineering services on five engineering projects located in Ohio while it did not have a Certificate of Authorization to do so. The Ohio Board accepted the Settlement Agreement and imposed a \$250 fine and a public reprimand. On or about November 22, 2013, Semaan Engineering Solutions, LLC’s manager completed an on-line application to renew its Missouri engineering corporate certificate of authority. Semaan Engineering Solutions, LLC’s manager selected in the affirmative the specific box stating that “since January 1, 2012, my corporation has not been the subject of disciplinary action, or entered into any type of settlement agreement providing



for any limitation on the corporation's ability to practice, or monetary penalty or payment of costs in any other licensing jurisdiction that I have not previously disclosed to this Board." Semaan Engineering Solutions, LLC's manager's statement was incorrect as Semaan Engineering Solutions, LLC had entered into a Settlement Agreement with the Ohio Board on November 4, 2013.

**Cause for Discipline:** Cause exists for the Board to discipline Semaan Engineering Solutions, LLC's engineering corporate certificate of authority pursuant to Section 327.441.2(3), RSMo, by use of fraud, deception, misrepresentation or bribery in securing any license or certificate of authority issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter; Section 327.441.2(4), RSMo, by obtaining or attempting to obtain any fee, charge, tuition or other compensation by fraud, deception or misrepresentation; Section 327.441.2(5), RSMo, by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(8), RSMo, by disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state; and, Section 327.441.2(13), RSMo, by violation of any professional trust or confidence.

**Board Action:** The Board authorized the Attorney General's Office to proceed with Settlement. Thereafter, Semaan Engineering Solutions, LLC entered into a Settlement Agreement with the Board whereby its engineering corporate certificate of authority, number E-2007017131, was placed on probation for a period of one year commencing on June 28, 2014 and ending on June 27, 2015.

#### **LEMBERG, DANIEL, A-2006000017**

Conyers, Georgia

**Summary:** The Board received information that on or about September 12, 2011, Mr. Lemberg entered into a Consent Agreement with the South Carolina State Board of Architectural Examiners, in which he admitted that he signed and sealed design drawings for permitting associated with a project known as Holiday Inn Express in Clemson, South Carolina and that these design drawings contained the title block for Daniel Lemberg – Architect and Associates. He submitted the design drawings with the title block for Daniel Lemberg – Architect and Associates for plan approval and permitting to the City of Clemson. Mr. Lemberg is a sole proprietorship and as such his practice must be conducted under his individual name to reflect how he is actually registered. Mr. Lemberg's conduct was in violation of South Carolina Law pertaining to practicing as a sole-proprietorship in a name other than his individual name as registered with the South Carolina Board. The South Carolina Board accepted the Consent Agreement and imposed a \$3,000 fine and a Public Reprimand on Mr. Lemberg. When Mr. Lemberg renewed his Missouri license on or about December 31, 2012, he completed an on-line application to renew his architectural license. Mr. Lemberg selected in the affirmative the specific box stating that "since January 1, 2010, I have not been the subject of disciplinary action in any other licensing jurisdiction." Mr. Lemberg's statement was incorrect, as he had been disciplined by acceptance of the South Carolina Consent Agreement on September 12, 2011.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Lemberg's architectural license pursuant to Section 327.441.2(3), RSMo, by use of fraud, deception, misrepresentation or bribery in securing any license or certificate of authority issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter; and, Section 327.441.2(8), RSMo, by disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state.

**Board Action:** The Board authorized the Attorney General's Office to proceed with Settlement. Thereafter, Mr. Lemberg signed a Settlement Agreement with the Board agreeing to place his architectural license, number A-2006000017, on probation for a period of one year commencing on May 14, 2014 and ending on May 13, 2015.

**WOLFE, EDDIE D., PLS-2190**

Branson, Missouri

**Summary:** The Board received a complaint alleging that Mr. Wolfe performed a survey of property, established Quarter Corner, Section 2, Township 22N, Range 23 West, and set a new corner for Section 2, which was 58 feet to the west of the former corner. Mr. Wolfe then failed to record the newly set corner with the Missouri State Land Surveyor's Office as required by 60.321, RSMo.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Wolfe's professional land surveying license pursuant to Section 327.441.2(5) by failing to comply with his statutory duty to record the new corner he established for Section 2, Mr. Wolfe engaged in conduct involving incompetency; and, pursuant to Section 327.441.2(13), RSMo, by failing to record the new corner he established for Section 2, Mr. Wolfe violated a professional trust placed in him.

**Board Action:** The Board authorized the Missouri Attorney General's Office to proceed with Settlement. Thereafter, Mr. Wolfe signed a Settlement Agreement with the Board agreeing to place his professional land surveying license, number LS-2190, on probation for a period of one year commencing on May 17, 2014 and ending on May 16, 2015. In addition, Mr. Wolfe shall file the corner he established for Section 2, Township 22N, Range 23 West, Reed's Spring, Stone County, Missouri, with the Missouri State Land Surveyor's Office as required by Section 60.321, RSMo, and 10 CSR 30-3.020, within 90 days from the effective date of the agreement. Also, Mr. Wolfe shall review all lost corners he has reestablished or existing corners he has restored since January 1, 2010, and provide the Board with proof he has filed all such corners with the Missouri State Land Surveyor's Office as required by Section 60.321, RSMo, within 90 days from the effective date of the agreement.

**TURNER, SAMUEL III, A-2002010504**

Redfield, Arkansas

**Summary:** The Board received information that on or about December 10, 2010, Mr. Turner entered into a Consent Agreement with the Tennessee Board of Architectural and Engineering Examiners, in which he admitted that: 1) he engaged in architectural activities that were found to be improper by the Tennessee Board in the development of assembly occupancies; 2) these activities consisted of the design and development of construction documents for at least one church facility that were not produced under Mr. Turner's responsible charge in violation of Tennessee Rules and Regulations, as evidenced by Mr. Turner's seal appearing on drawings produced by unlicensed parties and not produced under Mr. Turner's direct supervision; 3) these activities also involve the production of documents sealed by the Respondent relating to design discipline for which the Respondent was not qualified to generate; 4) these activities constitute a disregard for the public safety in the professional practice of architecture; 5) pursuant to Tennessee Code, "Gross negligence, incompetency, or misconduct in the practice of architecture" could result in the Tennessee Board refusing to renew, revoke or suspend the certificate of registration of a registered professional architect; and, 6) pursuant to Tennessee Code, a "violation of the rules adopted by the Tennessee Board" could result in the Tennessee Board refusing to renew, revoke or suspend the certificate of registration of a registered professional architect. Mr. Turner agreed to a disposition in which he was liable for a civil penalty of \$3,000 and his license was suspended for six months. Thereafter, on or about December 29, 2010, Mr. Turner submitted an application to renew his Missouri architectural license which he had signed and dated December 6, 2010. One of the questions on the form inquired, during the period from January 1, 2009, to the present, "Have you been the subject of disciplinary action in any other licensing jurisdiction?" Mr. Turner checked a box indicating "no" in response to this question. Mr. Turner's statement was false as he had been disciplined by acceptance of the Tennessee Consent Agreement on December 10, 2010.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Turner's architectural license pursuant to Section 327.441.2(3), RSMo, by use of fraud, deception, misrepresentation or bribery in securing any license or certificate of authority issued pursuant to this chapter or



in obtaining permission to take any examination given or required pursuant to this chapter; Section 327.441.2(5), RSMo, by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; Section 327.441.2(6), RSMo, by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter; and, Section 327.441.2(8), RSMo, by disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state.

**Board Action:** The Board authorized the Missouri Attorney General's Office to proceed with Settlement. Thereafter, Mr. Turner signed a Settlement Agreement with the Board agreeing to place his architectural license, number A-2002010504, on probation for a period of one (1) year commencing on May 27, 2014 and ending on May 26, 2015.

#### **CURTIS, DONALD DUSTIN, A-2011008143**

Phoenix, Arizona

**Summary:** The Board received information that on October 10, 2011, Mr. Curtis, individually and on behalf of two corporations, signed and entered into a Settlement Agreement and Order with the Nevada State Board of Architecture, Interior Design, and Residential Design. The Agreement stated that Mr. Curtis had offered architectural services in Nevada under the firm names, Curtis Architecture, Inc. and One Architecture, which were not approved by the Board, that he inappropriately displayed photographs of Nevada projects for which he was not the architect of record on a corporate website, and that he had unintentionally made statements or claims on a corporate website which might have led the public to believe that the company was licensed to practice architecture in Nevada. Mr. Curtis agreed to pay a fine of \$1,500 and costs of \$1,000. The Agreement was accepted by the Nevada Board by Order dated October 18, 2011. Thereafter, on or about December 18, 2011, Mr. Curtis renewed his Missouri architectural license through the Board's online license renewal system. As one of the steps in the renewal process, an applicant is required to read and indicate his agreement with a series of statements, one of which is "Since January 1, 2010, I have not been the subject of disciplinary action in any other licensing jurisdiction." Mr. Curtis selected a box indicating his agreement with this statement, which was not true due to the Nevada discipline.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Curtis' architectural license pursuant to Section 327.441.2(3), RSMo, by use of fraud, deception, misrepresentation or bribery in securing any license or certificate of authority issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter; and, Section 327.441.2(8), RSMo, by disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state.

**Board Action:** The Board held a disciplinary hearing on May 6, 2014. Thereafter, the Board issued an Order placing Mr. Curtis' architectural license, number A-2011008143, on probation for a period of one year commencing on June 3, 2014 and ending on June 2, 2015.

#### **SAPP, MICHAEL F., A-4986**

Maryville, Illinois

**Summary:** As previously reported, Mr. Sapp was on probation for failing to report his Arkansas discipline to the Missouri Board. In a Settlement Agreement, Mr. Sapp agreed to place his architectural license, number A-4986, on probation for a period of one year commencing on April 18, 2013 and ending on April 17, 2014. A condition of Mr. Sapp's probation, among other requirements, is to comply with the provisions of Chapter 327 and the rules promulgated thereunder. On July 12, 2013, Mr. Sapp had his Tennessee architectural license disciplined, while he was on



probation in Missouri, for failure to pay professional privilege taxes. Missouri requires its licensees to pay taxes and failure to do so results in suspension of the license in Missouri. On, or about, December 28, 2013, Mr. Sapp signed and submitted a form to renew his Missouri architectural license. As part of the renewal process, Mr. Sapp was required to read a series of statements including one that asked "In any other licensing jurisdiction, have you been the subject of disciplinary action, or entered into any type of settlement agreement, providing for any limitation of your ability to practice, or monetary penalty or payment of costs that you have not previously disclosed to this Board?" Mr. Sapp selected a box answering "no," which was not true due to the Tennessee discipline.

**Cause for Discipline:** Mr. Sapp's conduct is in violation of the terms of discipline set forth in the April 18, 2013 Order. One of those terms and conditions was that "Mr. Sapp shall comply with all provisions of Chapter 327, RSMo, as amended; all rules and regulations of the Board; and all local, state, and federal laws. 'State' as used herein refers to the State of Missouri and all other states and territories of the United States." Cause exists for the Board to discipline Mr. Sapp's architectural license due to his failure to reveal his Tennessee discipline in response to a specific question which is an act of "fraud, deception, misrepresentation or bribery in securing any license," which is cause for discipline under Section 327.441.2(3), RSMo, and a violation of his probation under the terms of Paragraph 21(D) of the Joint Agreed Disciplinary Order. In addition, Mr. Sapp's failure to reveal his Tennessee discipline in response to a specific question is "fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter" which is cause for discipline under Section 327.441.2(5), RSMo, and also a violation of his probation under the terms of Paragraph 21(D) of the Joint Agreed Disciplinary Order.

**Board Action:** The Board held a probation violation hearing on May 6, 2014. Thereafter, the Board issued an Order placing Mr. Sapp's architectural license, number A-4986, on probation for a period of two years commencing on June 3, 2014 and ending on June 2, 2016.

#### **DURHAM, ROBERT A., PE-2007011752**

Tulsa, Oklahoma

**Summary:** The Board received information that on April 3, 2014, Mr. Durham entered into a Consent Order with the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors, in which he admitted that: 1) he certified to the Oklahoma Board that his primary discipline of engineering is "electrical" and secondary disciplines are "petroleum", "fire protection" and "control systems;" 2) from May 29, 2013 through June 6, 2013, he signed twenty-one residential structural inspection and analysis reports relating to structural damage; and, 3) at the time he prepared, signed and issued the residential structural inspection and analysis reports, he performed services outside any of his designated areas of practice as submitted to the Board. Mr. Durham agreed that he was subject to discipline for offering and performing services outside his designated areas of practice. Thereafter, the Oklahoma Board accepted the Consent Order and imposed a \$3,000 fine and a public reprimand on Mr. Durham, and further ordered him to cease and desist the providing of structural analysis reports and structural damage inspections.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Durham's professional engineering license pursuant to Section 327.441.2(8), RSMo, by disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state.

**Board Action:** The Board authorized the Attorney General's Office to proceed with Settlement. Thereafter, Mr. Durham signed a Settlement Agreement with the Board agreeing to place his professional engineering license, number PE-2007011752, on probation for a period of one (1) year commencing on August 21, 2014 and ending on August 20, 2015.



## **DAVIS, ROBERT LEE, PE-2004017156**

Tulsa, Oklahoma

**Summary:** The Board received information that on June 24, 2011, a Formal Complaint was filed before the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors charging Mr. Davis with three counts of misconduct, including failing to report a criminal conviction for aggravated driving under the influence of alcohol, failure to respond to an inquiry from the Board, and signing a false statement in an application for a certificate of licensure. On July 27, 2011, Mr. Davis signed a Consent Order with the Oklahoma Board in which he agreed to a finding of guilty on all three counts, and to discipline in the form of a reprimand and administrative penalties totaling \$4,500. The discipline took effect on July 28, 2011. On November 15, 2012, Mr. Davis renewed his Missouri professional engineering license by using the Board's online renewal system. As one of the steps in the renewal process, an applicant is required to read and indicate his agreement with a series of statements, one of which is "Since January 1, 2011, I have not been the subject of disciplinary action in any other licensing jurisdiction." Mr. Davis selected a box indicating his agreement with this statement, which was not true due to the Oklahoma discipline. Thereafter, on April 23, 2013, Mr. Davis signed another Consent Agreement with the Oklahoma Board, agreeing that he had failed to complete and to provide proof of completion of required continuing education hours, and agreeing to discipline in the form of an administrative penalty of \$250 and a reprimand. This Consent Order was accepted by the Oklahoma Board and the discipline took effect on April 25, 2013. The offenses for which Mr. Davis was disciplined in Oklahoma are cause for discipline of Mr. Davis' license in Missouri.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Davis' professional engineering license pursuant to Section 327.441.2(3), RSMo, by use of fraud, deception, misrepresentation or bribery in securing any license or certificate of authority issued pursuant to this chapter or in obtaining permission to take any examination given or required pursuant to this chapter; Section 327.441.2(5), RSMo, by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(8), RSMo, by disciplinary action against the holder of a license or a certificate of authority, or other right to practice any profession regulated by this chapter granted by another state, territory, federal agency or country upon grounds for which revocation or suspension is authorized in this state.

**Board Action:** The Board authorized the Attorney General's Office to proceed with Settlement. Thereafter, Mr. Davis signed a Settlement Agreement with the Board agreeing to place his professional engineering license, number PE-2004017156, on probation for a period of one (1) year commencing on August 27, 2014 and ending on August 26, 2015.

## **PUBLIC CENSURE**

### **WINKLER, JOHN E. Jr., PLS-2006016644**

Lake St. Louis, Missouri

**Summary:** The Board received information that in 2011-2012, Volz Inc., a surveying company, and Richard W. Norvell, a licensed professional land surveyor, performed an ALTA/ACSM Land Title Survey on a tract of land being part of Lot 34 in Block 9 of "Steen and Cunningham's Survey of the St. Charles Commons," in St. Charles County, Missouri. Mr. Robert N. Volz prepared and sealed a drawing dated June 28, 2011, and revision of that document dated July 23, 2012. On September 16, 2013, the client approached Mr. Volz about providing an updated survey. On September 17, 2013, the client informed Mr. Volz that another surveyor had completed the survey, and attached a copy of a survey under the title Metron Surveying and Layout Company, August 28, 2013, sealed by Mr. Winkler. The survey dated August 28, 2013, was identical



to the Volz survey dated July 23, 2012, except for editorial changes such as that the title is in a different font and the notes, north pointer, and scale and location map were moved to different locations on the drawing. The August 28, 2013 survey does not reflect changes in the property made after July 23, 2012, including a new walk at the southwest corner and changes in the retaining wall around the entrance sign. The August 28, 2013 drawing was a preliminary draft prepared by Mr. Winkler without proper verification of the dimensions and corners of the property. Mr. Winkler failed to label the survey as a preliminary drawing or to otherwise indicate that it was not to be used as an accurate record of the property as of the date of his signature. Mr. Winkler signed and placed his seal on the drawing dated August 28, 2013, although that document was not prepared under his immediate personal supervision.

**Cause for Discipline:** Cause exists for the Board to discipline Mr. Winkler's professional land surveying license pursuant to Section 327.441.2(5), RSMo, by incompetency, misconduct, gross negligence, fraud, misrepresentation or dishonesty in the performance of the functions or duties of any profession licensed or regulated by this chapter; and, Section 327.441.2(6), RSMo, by violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter.

**Board Action:** The Board authorized the Attorney General's Office to proceed with Settlement. Thereafter, Mr. Winkler signed a Settlement Agreement with the Board agreeing to be Publicly Censured. The Order became effective on August 15, 2014.

